# GOVERNMENT OF INDIA
# HOME AFFAIRS
# LOK SABHA

UNSTARRED QUESTION NO:3768
ANSWERED ON:08.04.2003
PENSION TO BSF PERSONNEL
JASWANT SINGH YADAV;SURESH RAMRAO JADHAV (PATIL)

**Will the Minister of HOME AFFAIRS be pleased to state:**

(a) the criteria adopted for grant of pension/family pension to BSF personnel who retired/resigned from service;

(b) whether the Government have stopped pension/family pension of all the BSFpersonnel who could not complete 20 years of service;

(c) if so, the reason therefor alongwith the time since when the order is to be implemented;

(d) whether the Supreme Court has also given an order in this regard;

(e) if so, the details thereof alongwith the time since when orders of Supreme Court have been implemented;

(f) whether this order also affects the retired personnel who took voluntary retirement before the pronouncement of the order;

(g) whether Government propose to provide some relief to these retired personnel of BSF who have spent prime time of their life in the service of the Nation; and

(h) if so, the details thereof?

## Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERS( PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK)

(a): Pension/Family pension is granted to BSF personnel under CCS (Pension) Rules-1972. Pension is not admissible to personne who resign from service, as under Rule-26 of CCS (Pension) Rules-1972 resignation from service or a post entails forfeiture of past service.

(b) & (c): Govt. has stopped pension to BSF personnel who had resigned under BSFRule-19 and not completed 20 years of qualifying service. Family pension has however not been stopped.

Based on Supreme Court`s judgement dated 30th march 2001, MHA vide OM No. II-27012/16/2000-PF.I dated 6.6.2001 has issued orders stopping payment of pension to all ineligible pensioners who have not completed 20 years of qualifying service. These orders have since been implemented and payment of pension stopped in respect of all ineligible pensioners.

(d) & (e): Yes Sir. Supreme Court vide its judgement dated 30.3.2001 has held that BSF personnel who have resigned from service under Rule-19 of BSF Rules, before completing qualifying service of 20 years, are not entitled to get pensionery benefits.Based on the orders of the Hon`ble Supreme Court MHA has issued orders stopping pension to all ineligible pensioners.

(f): No, Sir.

(g) & (h): Even though under Rule 19 of BSF Rules 1969, these personnel are not entitled to pension, they are eligible to receive other pensionery benefits like final payment of GPF, CGEGIS, leave salary etc.